

### REMARKS

This application has been reviewed in light of the Office Action (Paper No. 5) dated August 6, 2003. Claims 1-27 are now presented for examination. Claims 1, 5, 6, 13-16, and 18-22 have been amended to define more clearly what Applicant regards as the invention. New Claim 27 has been added to provide Applicant with a more complete scope of protection. Claims 1, 6, 13-16, 18, and 20-22 are in independent form. Favorable reconsideration is requested.

The title has been amended to be more descriptive, as required in the Office Action.

The Office Action required that Figs. 11-13 be labeled "Prior Art". Attached is a Request For Approval of Drawing Changes in which it is proposed to label those figures accordingly.

The drawings were objected to under 37 C.F.R. § 1.83(a) for the reasons given at page 2 of the Office Action. In particular, the Office Action requires that the terms Da, Db, and Dc of Claims 6 and 18 be shown in the drawings. However, this requirement is respectfully traversed because those terms are merely mathematical expressions which are not believed to be suitable for being represented as a geometrical shape in a drawing. The anode, regulating member, an spacing member, pointed out on page 2 of the Office Action, are already shown in the drawings.

With regard to the language of Claims 14 and 15 identified at page 2 of the Office Action, the attached Request For Approval of Drawing Changes proposes to insert the following reference identifiers in Fig. 2 to identify the following associated elements:

- a - an extreme point on a side of a potential regulating electrode 1015;
- b - a projected position of the extreme point a to the spacing member;
- c - an extreme point (b coincides with c in the drawing) of the electrode 1017 (an electrode electrically connected to the potential regulating electrode) of the spacing member;
- d - an extreme point on the potential regulating electrode side of the anode;
- e - a projection position of the extreme point d to the spacing member; and
- f - an extreme point (e coincides with d in the drawing) on the potential regulating member of an electrode 1016 (an electrode connected electrically to the anode) of the spacing member.

Entry of the proposed changes to Fig. 2 is respectfully requested. In view of the foregoing, it is believed that all drawing objections have been overcome.

The Office Action states that Claims 6, 13-16, 18 and 20-22 would be allowable if rewritten in independent form. Those claims have been so written, and they therefore are believed to be in condition for allowance.

Claims 5, 19 and 20 were objected to because of the alleged informalities pointed out at page 3 of the Office Action. Each of those claims has been amended as deemed necessary to overcome this objection. Accordingly, withdrawal of the objection is respectfully requested.

Claims 1-5, 7-12, 17, 19, and 23-26 were rejected under 35 U.S.C. §103(a) as being obvious over European Patent Application EP 1117124 A2 (Ando) in view of U.S. Patent 6,184,619 (Yamazaki et al.). Applicant respectfully requests reconsideration in view of the following comments.

An aspect of the present invention to which independent Claim 1 relates will first be described.

According to this aspect of the invention, a spacing member has the electrode contacting or being disposed close to the potential regulating electrode thereby electrically connected with the potential regulating electrode to which a potential lower than that of the anode is applied. And, since the electrode is disposed so as to be spaced from the anode, the anode and the potential regulating electrode to which respectively different potentials are applied are prevented from being mutually connected electrically through the electrode.

The features of independent Claim 1 will now be described. As amended, Claim 1 is directed to an image displaying apparatus comprising a first plate including at least an electron beam source, a second plate including an anode to which an electric potential for accelerating an electron beam from the electron beam source is applied, and a potential regulating electrode to which a predetermined electric potential lower than that of the anode is applied. The potential regulating electrode is situated at an outside of the anode and around the anode. A spacing member is provided between the first and second plates, the spacing member contacts both of the anode and the potential regulating electrode, and the spacing member includes an electrode, which is spaced from the anode, contacting or being disposed close to the potential regulating electrode thereby electrically connected with the potential regulating electrode.

Ando teaches a spacer 101 arranged such that its longitudinal opposite ends 110 are positioned between the (side) outer periphery of an image forming member 12 and

the inner periphery of a support frame 4. The length of the spacer 101 in the longitudinal direction thereof is greater than that of the electron source area 2 in the same direction. Element 5 is a conductive low-resistance film, such as a metal film. The film 5 is arranged on the principal surface of the face plate 11, on which image forming member 12 also is formed, so as to surround the member 12, and there is a space provided between the film 5 and the member 12.

The Office Action concedes that “Ando does not exemplify the spacing member including an electrode contacting or being disposed close to the potential regulating electrode.”

Yamazaki et al. discloses a structure wherein a spacer has an electrode. A low-resistance film serves to electrically connect the high-resistance film 11 to a face plate 1017 and substrate 1011. The Office Action cites that reference as teaching the spacer comprising a high-resistance film 11 and a low-resistance film 21.

However, nothing in either Ando or Yamazaki et al. would teach or suggest an image displaying apparatus in which a spacing member contacts both of an anode and a potential regulating electrode, wherein the spacing member includes an electrode, which is spaced from the anode, contacting or being disposed close to the potential regulating electrode thereby electrically connected with the potential regulating electrode, as recited in Claim 1.

The Office Action asserts that “it would have been obvious . . . to include an electrode (low resistance film) in the spacing member contacting the potential regulating electrode of Ando for relaxing charge built up at the contact point of the spacer and the

potential regulating electrode and connecting the high resistance film underneath electrically connect with the potential regulating electrode and the bottom substrate.” However, the film 21 of Yamazaki et al. extends lengthwise along the whole upper surface of the Yamazaki et al. spacer 1020, such that, if that film were to be placed on the spacing member 101 of Ando, as apparently proposed in the Office Action, the film 21 would not be spaced from the anode 12 of Ando, but instead would be in direct contact with it (see, e.g., Fig. 14 of Yamazaki et al., which represents a view taken from a perspective looking towards a side of Fig. 13 of Yamazaki et al.). Accordingly, even if Ando and Yamazaki et al. were to be combined in the manner proposed in the Office Action (which, in any event, is not admitted would have been obvious or technically feasible), the resulting combination still would not teach or suggest the above-emphasized features of Claim 1, wherein the spacing member includes an electrode which is spaced from the anode.

For all of the foregoing reasons, it is respectfully submitted that Claim 1 is clearly patentable over Ando and Yamazaki et al., whether considered separately or in combination.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of

the invention, however, the individual consideration or reconsideration, as the case may be, of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

  
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